

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOSEPH X. SMITH,)	
)	
Plaintiff,)	
)	
v.)	No. 4:15-CV-1297 RLW
)	
JULIE INMAN, et al.,)	
)	
Defendants,)	

MEMORANDUM AND ORDER

This matter is before the Court on remand from the Court of Appeals to calculate and collect the appellate filing fees under 28 U.S.C. § 1915(b). The Court is unable to fully comply with the remand.

The Court cannot calculate an initial partial filing fee under § 1915(b) because plaintiff is not a prisoner. He is a civil detainee in the Missouri Department of Mental Health. As a result, the Court will order plaintiff either to pay the full amount of the appellate filing fee or to file a motion for leave to proceed in forma pauperis in the Court of Appeals.

Accordingly,

IT IS HEREBY ORDERED that, no later than fourteen (14) days from the date of this Order, plaintiff must either pay the \$505 appellate filing fee or file a

motion for leave to proceed in forma pauperis in the Court of Appeals for the Eighth Circuit.

IT IS FURTHER ORDERED that the Clerk is directed to forward a copy of this Order to the Court of Appeals.

Dated this 21st day of June, 2016.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE